



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2011 Biennium

Bill #	HB0349	Title:	Revise animal cruelty laws
Primary Sponsor:	Villa, Dan	Status:	As Introduced

- | | | |
|---|---|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input checked="" type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
Expenditures:				
General Fund	\$0	\$0	Unknown	
Revenue:				
General Fund	\$0	\$0	Unknown	
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u></u>	<u></u>

Description of fiscal impact:

This bill extends the minimum sentence from two to five years for second and subsequent cruelty to animals' convictions as well as the first and subsequent aggravated animal cruelty convictions. The bill explicitly states that if there are more than one animal involved in the act of animal cruelty, each animal may compromise a separate charge. It also adds language that "knowing spectators" to animal fights can be prosecuted under the 45-8-210, MCA, causing animals to fight. This conviction would carry a penalty of not less than one year and up to five years imprisonment. Because this bill calls for additional time added on to the end of any sentencing requirements, there will be no fiscal impact to the Department in this biennium, but there could be long term impact depending on sentencing practices.

FISCAL ANALYSIS

Assumptions:

1. There are eight offenders that have been convicted of animal cruelty first offense in the last twelve years. Of these eight, two served an average of 1.5 years at the Montana State Prison, the rest received either deferred or suspended sentences. Both of the offenders receiving MSP sentences had counts other than the animal cruelty offenses that contributed to their sentencing. There have been no second offenses for animal cruelty in this time period.

2. There are currently three offenders that have been convicted of aggravated animal cruelty first offense. One has received a two year sentence to the Department of Corrections and was sent to Montana State Prison, while the other two were sentenced to the Treasure State Correctional Training Center (TSCTC).
3. There have been no offenders sentenced under 45-8-210, MCA, causing animals to fight.

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Operating Expenses	\$0	\$0	Unknown	
<u>Funding of Expenditures:</u>				
General Fund (01)	\$0	\$0	Unknown	
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	\$0	\$0	Unknown	

Long-Term Impacts:

1. If an offender was to re-offend at this time then the fiscal impact would be seen in FY 2012.
2. Assuming that only one of the twelve would re-offend then the fiscal impact for FY 2012 and FY 2013 would be \$33,569 per year or \$67,138 for the next biennium as well as another \$33,569 for FY 2014.
3. These would be the three years not now included in the sentencing requirements.

*Sponsor's Initials*_____
*Date*_____
*Budget Director's Initials*_____
Date